



Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: AL WARD, AICP, SENIOR PLANNER *aw*
(480) 503-6748, AL.WARD@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: MARCH 5, 2014

SUBJECT: UP13-24: DUNKIN DONUTS; A CONDITIONAL USE PERMIT FOR APPROXIMATELY 1.35 ACRES OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF HIGLEY AND RAY ROADS TO ALLOW LIMITED SERVICE RESTAURANT(S) WITH EXTENDED HOURS OF OPERATION IN NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT WITH A PAD OVERLAY ZONING DISTRICT.

STRATEGIC INITIATIVE: Economic Development

Allow for a variety of commercial uses in the Town and allow new limited service restaurants in the Neighborhood Commercial (NC) zoning district.

RECOMMENDED MOTION

MOVE TO **CONTINUE** UP13-24 DUNKIN DONUTS; TO ALLOW LIMITED SERVICE RESTAURANT WITH EXTENDED HOURS OF OPERATION TO THE APRIL 2, 2014 PLANNING COMMISSION MEETING.

APPLICANT/OWNER

Bar Napkin Productions, LLC.
Haley Balzano
808 E. Osborn Rd., Suite 101
Phoenix, AZ 85014
V: 602-492-9494
E: haley@bnp-llc.com

Camelback Partners Group LLC.
Aaron Klusman
450N. McClintock Dr., Suite 102
Chandler, AZ 85226
V: 602-980-4184
E: aklusman@camelbackpartners.com

BACKGROUND/DISCUSSION

History

Date	Action
July 22, 2003	Town Council approved A02-18 (Ord. No. # 1500), annexing the overall 568 acre Lyons Gate Development, including the subject site.
July 22, 2003	Town Council approved GP02-12 and Z02-32 to establish the Land Use Category and Zoning districts for the 568 acre Lyons Gate Development.
Dec. 14, 2006	Design Review Board approved DR06-29 Higley Court, a two building, 12,205 sq. ft. specialty retail shops project on this property, however, no development has occurred and the approval has expired.
Feb. 5, 2014	The Planning Commission reviewed case UP13-24: Dunkin Donuts at Study Session.

BACKGROUND

Subsequent to the Planning Commission's review of UP13-24: Dunkin Donuts at Study Session of Feb. 5, 2014, the applicant proceeded to provide Neighborhood Notice and post a sign on the site. Unfortunately, although appropriate Neighborhood Notice was mailed to area property owners, the requirements to post the sign on the site at least 15 days prior to the Public Hearing date has not been met. The Notice of Public Hearing sign needs to be appropriately relocated to the site and causing a delay in the Public Hearing date from March 5, 2014 to April 2, 2014.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town. However, the Notice of Public Hearing Sign was relocated causing a delay in the Public Hearing date. Staff has received one phone call from a neighbor in favor of this request.

STAFF RECOMMENDATION

MOVE TO **CONTINUE** UP13-24 DUNKIN DONUTS; TO ALLOW LIMITED SERVICE RESTAURANT WITH EXTENDED HOURS OF OPERATION TO THE APRIL 2, 2014 PLANNING COMMISSION MEETING.

Respectfully submitted,

Al Ward, AICP
Senior Planner

Attachments and Enclosures:

1. Notice of Public Hearing
2. Aerial

Notice of Public Hearing

UP13-24: Dunkin Donuts
Attachment 1 - NOPH

March 5, 2014

Planning Commission Date:

Wednesday, March 5, 2014* TIME: 6:00 PM

LOCATION: Gilbert Municipal Center, Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296

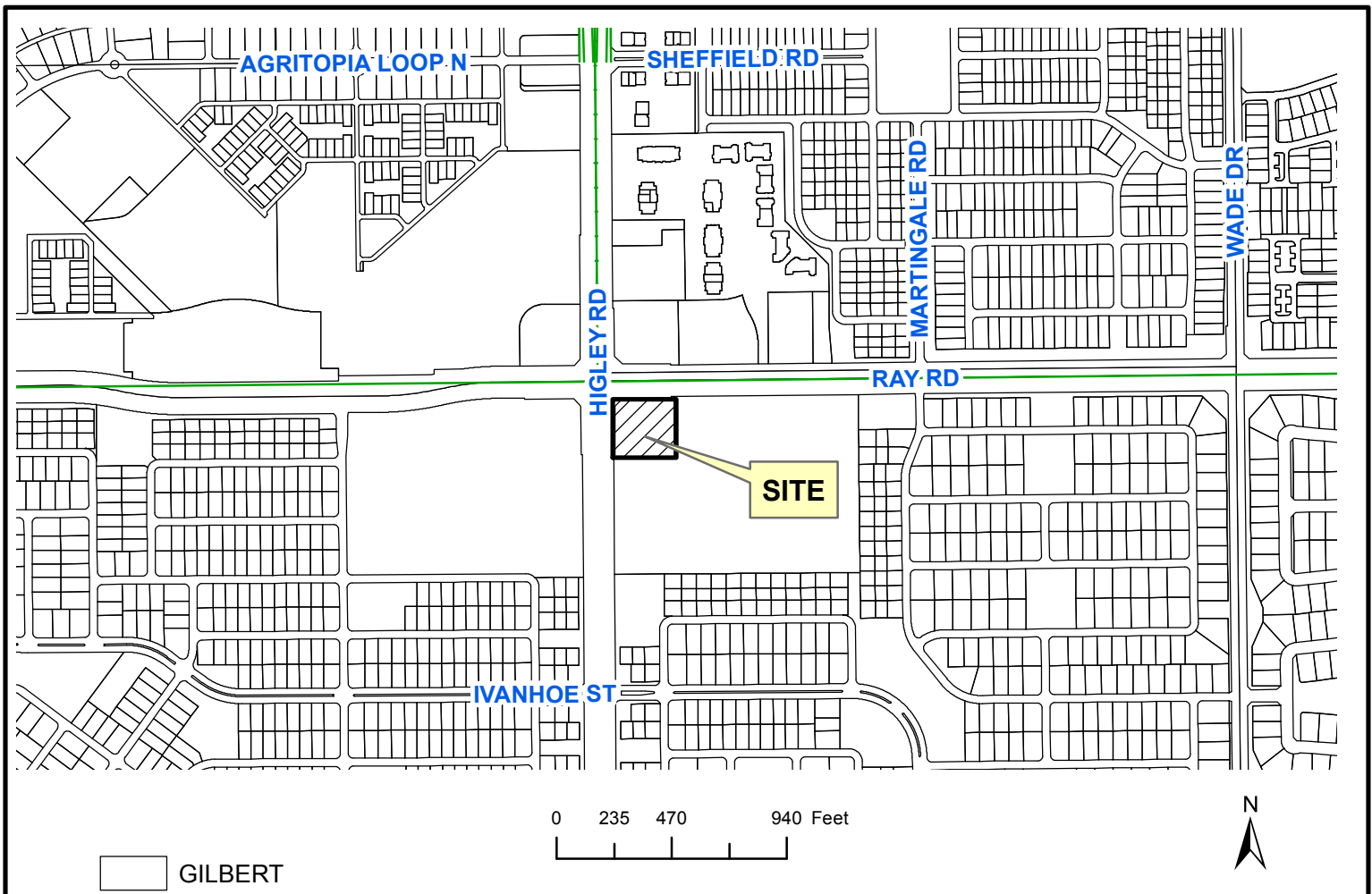
*** Call Planning Department to verify date and time: (480) 503-6700**

REQUESTED ACTION:

UP13-24 Dunkin Donuts: Request to approve a Conditional Use Permit for approximately 1.35 acres of real property located at the southeast corner of Higley Road and Ray Road to allow a Limited Service Restaurant with Extended Hours of Operation in the Neighborhood Commercial (NC) zoning district with a Planned Area Development overlay zoning district, subject to conditions required to limit impacts within the area.

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

SITE LOCATION:



APPLICANT: Camelback Partners Groups LLC / Bar Napkin Productions TELEPHONE: (602) 980-4148 (602) 492-9494
CONTACT: Aaron Klusman / Haley Balzano
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Chandler, Arizona 85226

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